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THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent application of:)
Brian E. Lemoff) Confirmation No.: 1981
Serial No.: 10/635,719) Group Art Unit: 2839
Filed: August 5, 2003) Examiner: Chandrika Prasad
For: *Parallel Fiber-Fan-Out Optical*)
Interconnect for Fiber Optic System)

REQUEST FOR RECONSIDERATION UNDER 37 CFR §1.111

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the second Office Action mailed October 28, 2004, please reconsider the subject patent application based on the following remarks, and the accompanying declarations of Brian E. Lemoff and Michael H. Jester under 37 CFR §1.131.

In the second Office Action, Claims 1, 3, 8, 9, 11-19, 21 and 22 were rejected under 35 USC §102(e) for anticipation over the U.S. patent application of Nakanishi et al, which was published December 3, 2003 under Publication No. 2003/0223707. Said application was filed on May 6, 2003 and has now matured into U.S. Patent No. 6,814,504 B2, granted November 9, 2004.

The accompanying Declaration of Brian E. Lemoff establishes that the invention of pending Claims 1, 3, 8, 9, 11-19, 21 and 22 was conceived prior to the filing date of the aforementioned Nakanishi et al. patent application. The accompanying Declaration of Michael H. Jester establishes *prima facie* diligence in constructively reducing the invention of pending Claims 1, 3, 8, 9, 11-19, 21 and 22 from a time prior to the filing date of the Nakanishi et al. patent application.

Accordingly, withdrawal of the lack of novelty rejections of Claims 1, 3, 8, 9, 11-19, 21 and 22 over Nakanishi et al. is requested. This application is believed to be in condition for allowance and notification to this effect is solicited. While no additional fee is believed to be due, the Commissioner is hereby authorized to charge Deposit Account No. 50-1078 for any additional fee required at this time in connection with this request for reconsideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "M.H. Jester", followed by the date "1-20-05".

By: Michael H. Jester
Attorney for Applicant
Registration No. 28,022

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Brian E. Lemoff

Serial No.: 10/635,719

Examiner: Chandrika Prasad

Filing Date: August 5, 2003

Group Art Unit: 2839

Title: Parallel Fiber-Fan-Out Optical Interconnect for Fiber Optic System

COMMISSIONER FOR PATENTS
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- (X) Response/Amendment () Petition to extend time to respond
() New fee as calculated below () Supplemental Declaration
() No additional fee (Address envelope to "Box Non-Fee Amendments")
(X) Other: Rule 131 Decl. of Lemoff & Jester (fee \$)

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS	11	MINUS	20	= 0	X \$18	\$ 0
INDEP. CLAIMS	4	MINUS	4	= 0	X \$84	\$ 0
[] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$280	\$ 0
EXTENSION FEE	1ST MONTH \$110.00	2ND MONTH \$410.00	3RD MONTH \$930.00	4TH MONTH \$1450.00		\$ 0
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 50-1078 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this sheet is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: 1/20/2005

Typed Name: Sherre Anne Treat

Signature: Sherre Anne Treat

Respectfully submitted,

Brian E. Lemoff

By Michael H. Jester 1-20-05

Michael H. Jester

Attorney/Agent for Applicant(s)

Reg. No. 28,022

Date: 1/20/2005